IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.26618 of 1997

Between:

S. Kavitha D/o Dr.S.Gopala Rao
Student, resident of Bindu Apartments, 6/19, Brodipet, Guntur-2.

..... PETITIONER

AND

1 Government of A.P., rep. by its Secretary, Education (E.C.2)

Department, Secretariat Building, Hyderabad
2 Chaitanya Bharathi Institute of Technology, City Office, A.V. College

Campus, Gaganmahal, Hyderabad
3 S.V.H. Engineering College, Machilipatnam
Krishna District

(Writ petition as against R3 was dismissed for default as per court

order dated 24-8-2000)
4 Mahatma Gandhi Institute Of Technology, City Office,

A.V. College Campus, Gaganmahal Hyderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction, particularly a Writ in the nature of Mandamus, declaring Clause 2(ii) of G.O.Ms.no.256 dated 17-11-1993 issued by the 1st respondent herein, as discriminatory and violative of Article 14 of the Constitution of India, besides being contrary to the Orders of the Hon'ble Supreme Court in T.M.A. Pai Foundation Case and consequently direct the respondents to admit the Petitioner into First year Engineering Course for the Academic year 1997-

98.

Counsel for the Petitioner: MR. P.N.M. Ranga Rao

Counsel for the Respondents: GP FOR HIGHER EDUCATION

The Court made the following:

ORDER:

By this writ petition, the petitioner seeks to declare Clause 2(ii) of G.O.Ms.No.256, dated 17.11.1993, in so far as restricting the admission of students into Engineering Course, who do not have the first class in Intermediate and in the concerned group, as illegal and arbitrary and to direct the respondents to admit the petitioner into I-Year Engineering Course for the academic year 1997-98.

When the matter is taken up today for hearing, none appears for the petitioner. Learned Government Pleader for Higher Education submits that the relief sought by the petitioner in this writ petition is for admission into I-Year Engineering Course for the academic year 1997-98 only, by lapse of time, the prayer in the writ petition has become infructuous.

Recording the said submission, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J.

Date: 29.03.2005

Nsr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Education (E.C.2)

Department, Government of A.P., Secretariat Building, Hyderabad
2 Chaitanya Bharathi Institute of Technology, City Office, A.V. College

Campus, Gaganmahal, Hyderabad
3 S.V.H. Engineering College, Machilipatnam
Krishna District

4 Mahatma Gandhi Institute Of Technology, City Office,

A.V. College Campus, Gaganmahal Hyderabad

5 Two CCs to GP for Higher Education, High Court Buildings, Hyderabad

(OUT)

6 Two CD copies

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